C.F. 71 & 72. 70,000 11 7 30

P21

C.F. 71 & 72.

19 35

Department of Land Admin

OFFICE Board office

STATION Madras

My No 1321	
Dated 30. 3 35	

C 2338/24

	Date Initials
Given for copying	
Copied	
Examined	
Signed	
Given for despatch	
Despatched	
Indexed	
To be destroyed on*	

Page 1 in the file

(SUBJECT.)

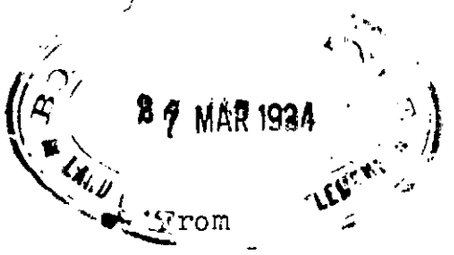
Encroachment (South Kanara) Udipi Taluk Kodavur village - L.R. officials dealing enquiry & departmental action taken. With reference to encroachment enclosed. G.O. Cons -

Not to be filled in in the case of permanent records

South Kanara Collector's Office,

@ 2938

Camp: Coondapur, dated 23rd March 1934.



From

E. M. Gawne, Esq, I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue & Settlement,

Madras.

Sir,

Embezzlement--Land Revenue collections--Headman of Kodavur village--Udipi Taluk--reported.

The Tahsildar of Udipi Taluk has informed me that on the 20th March the Shanbhogue of Kodavur village reported that the headman had been missing since the morning of the previous day and that the Land Revenue remittance could not be made in consequence. The Tahsildar went to the village and ascertained from the Mathkarda (Village Account No. 18) that the Patail had collected Rs.3975-8-6 No one knew where he was but it was said that he had left his house at 4.30 A.m. the previous day. It was also reported by a witness that he had been on board the steamer S. S. Bhadravathi at Malpe on the 20th March. If this is true the Headman had evidently gone to Mangalore on the 19th March and taken the Bombay steamer which stops at Malpe on the early morning next day.

The Tahsildar then searched the almirah in which the headman keeps his money and found Rs.1032-8-4 in silver and copper coins. There is thus a shortage of Rs.2942-0-2 and presumably the headman has absconded with this money. The steamer was due at Karwar at 6 p.m. on the 20th March and the Tahsildar sent word immediately

2

to the Inspector of Police, Udipi, to endeavour to have the man arrested. However there has been no further news from Udipi. The safest place for the headman to abscond to would be Marmagoa, and the steamer stops there. I will report any further developments

Your obedient servant,

Collector.

Embezzlement (S.Kanara) Udipi M. Kodanur Vgr. Headman L.R. Collections. Report.

C 2338/34

Ref C. 2338/34-1 of 5.4.34.

The Board awaits the Collr further report.

DESPATCHED
8 APR 1934

3

2338

C-2 95-8

Ref. C. No. 1495--A2--34.

South Kanara Collector's Office,

Mangalore, dated 21st April 1934.

28 APR 1934

From

E.M.Gawne, Esq, I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue & Settlement,

Madras.

Sir,

Embezzlement-- (South Kanara District)--Udipi Taluk--Kodavur village--Headman--Land Revenue collections--Further report submitted.

Ref:- Board's reference Ref. C. No. 2338/34--1/5th April 1934.

The absconding potail surrendered himself on 8th April 1934 at 4.30 p.m. before the Sub Collector, Coondapur, who took a detailed statement and then had him arrested and remanded to the Sub Jail at Coondapur. The Udipi police have since charge-sheeted him under section 409 I.P.C. The Sub Collector had taken the case on his file and at his request I have transferred the case from his file to that of the Sub Divisional Magistrate, Mangalore.

2. The day previous to the surrender of the potail, the Sub Collector received from him a letter bearing Goa postmark of 4th April 1934 stating that he would surrender himself within a week of the date of the letter (1.4.34). He protested that some currency notes being the portion of I.R. collections were stolen and that he fled in panic having failed in his attempts to make good the amount by selling a valuable Jain Crystalline head which was in his possession. He informed the Sub Collector that he went to Mangalore on the morning of 10th March 1934 to obtain Rs.5,000

by returning the Jain Crystalline head to one Amoti Beari of Golikatte Bazaar who had pledged it with him for Rs.1,500 six years before. On hearing that Amoti Beari had gone to Kasaragod or Manjeshwar he caught the steamer which was to leave Mangalore that day and reached Goa at 6.30 a.m. the third day. He tried to realise Rs.2,000 at Goa and other places by selling the Jain Crystalline head but nobody offered more than Rs.200. Thus frustrated in all his attempts to raise money, he returned to Coondapur via Shimoga and surrendered himself before the Sub Collector.

3. In this connection I have to point out that the potail's statement confirms the information which had been got by the Tahsildar that the potail was on the S.S. Chadravati. From information which I have obtained from the Shipping Company I learn that the Karwar Sub Inspector did board the boat and the Captain of the steamer gave him facilities for examining passengers. It was therefore a most regrettable oversight on the part of the Udipi police to have telegraphed no description of the potail to Karwar. The telegram merely gave this man's name. With a description of the potail in their hands the Karwar police would have been able to search the ship more effectively. It is known that he was not disguised in any way; for he was recognised by the coolies at Malpe.

4. As already reported the total amount of L. R. collections embezzled by the potail according to account No. 13 is Rs. 2942-6-2, but it is found that some items aggregating to Rs.181-8-0 for which the potail had given receipts to pattadars had not been brought to account. Including this sum and deducting Rs.42-8-0 on account of the pay of the Village Establishment for February 1934 excepting that of the potail who had not signed his acquittance in the pay abstract, the total sum embezzled is reported to be Rs.3081-6-2.

5. The moveable property in the potail's house consists of copper and brass utensils valued at Rs.50. The Tahsildar of Udipi reports that the landed properties in which he held a share including his own residential house and garden have either been sold away by private treaty or by court auction in satisfaction of decrees for mortgage debts or attached by the creditors. It appears that he also possesses an inter-

est in certain lands in Kodavur, Tenkanidiyur and Kervashe villages bequeathed to him by will of his paterral uncle and the value of his share in this property is estimated at about Rs.3,500. But two of the decree holders against him are said to have attached this share through Court. The Sub Collector Coondapur has however asked the Tahsildar to report after consulting the local Government Pleader whether it is advisable to file a suit on behalf of the Government for the sale of the property in question.

6. The affair has curious aspects. The potail was a gambler who had lost nearly all his property. The police do not believe that he took the Rs.3,000 on his person to Goa. From the very first they discounted the theory that he had bolted to Goa for good, leaving his wife and family behind, and his sudden return and surrender assists this theory enormously. They believe that he has concealed the money somewhere, possibly in Mangalore, and the steamer trip was just a "blind". The potail's behaviour was not that of an escaping thief. He must have known that when the Bhadravati reached Malpe 24 hours after he had disappeared, his disappearance would by then have been detected. To return therefore by a steamer to within a few miles of his village was not the action of a man escaping with Rs.3,000 on his person. There is every hope therefore that while the potail is an under trial prisoner some further clue will be obtained to the hiding place of the money. There would be no object in his leaving it in Goa if he was going to return to make a confession and stand his trial in South Kanara.

Your obedient servant,

Collector.

I have also been informed that the Goa police watch carefully for suspicious strangers and 'Head' them unmercifully &

Embezzlement (Bhavani ...)
Edifi M. Kodavan village. Headm
Cauvery Co. Coll.

C. 2338/34. & Mbl. Secy
C. 2958/34 & Coll. Appt. Secy
A & Coimb.

Rep. C. 2338/34. 2 d/ 3.5.34

The Collr. is requested to report in the course the result of the criminal case against the headman and also the recovery/position of the amount lost ~~in question~~.

2. ~~Dest~~ The Collr. is requested to see that departmental action is also taken against the headman.

28.4.34
30.4.34 Ent 1/5 S.

Report
to the Collr of Bhavani
Copy to the Secy to Govt-RD.
AG. (I.A. Section)

J.E
5/5/34

3.5.34

3.5.34

M1

Revenue Department. C.F 98.

REMINDER.

To The Board of Revenue (A. R & S)

~~Branch~~.

REPLY.

To The _____

The undersigned ~~has the honour to invite~~ is directed to invite ~~invites~~ attention to the communication noted in the margin and to request that ~~this reminder may be returned at once with information as to~~ the further report may be expedited. ~~(1) the stage at which the matter now is,~~

~~(2) the date by which a reply may be expected, and~~

~~(3) the circumstances which have caused the delay.~~

~~2. It is requested that the reply to this reminder may be sent not later than~~

Office Rev. Sectt., Signature.

Station Fort St. George Asst. Secy. to Govt., Designation.

Dated 14-6-34 Revenue Dept.

SUBJECT.

Assignment – S. Kanara – Udipi taluk – Kavoor village – Headman – Land Revenue

(4769) /
2338/1

Ref. C. No. 1495--34.

South Kanara Collector's Office,

Mangalore, dated 20th June 1934.

From

H. W. Gwyne, Esq, I.C.S.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue & Settlement,

Madras.

Sir,

Embezzlement-- South Kanara--Udipi Taluk--Kodavur village--Headman--Land Revenue collections.

Ref:- Board's Ref. No. C. 2338/34--2 dated 3rd May 1934.

The Criminal case against Puttaya alias Ganapaya Upadya, Potail of Kodavur village, has been disposed of by the Sub Divisional Magistrate, Mangalore. He has been sentenced to rigorous imprisonment for 18 months and to pay a fine of Rs.250/- in default to undergo further rigorous imprisonment for 3 months for an offence under section 409 I.P.C. and also to undergo rigorous imprisonment for 3 months for an offence under section 477 (A) I.P.C., both the sentences being ordered to run concurrently.

2. The Sub Collector, Coondapur, has, in his proceedings Ref. A--1521--34 dated 27th June 1934, dismissed Puttaya alias Ganapaya Upadya from the post of Potail and also debarred the next heir and all the undivided members of his family from holding the post during his life time.

3. As reported in para 4 of my report Ref. 1495-A2-34 dated 21st April 1934, the total amount embezzled is Rs.2081-6-2. The Tahsildar of Udipi after consulting the Government Pleader, Udipi, reports that the chances of recovering this amount by proceeding against the property in which the ex-potail possesses certain interest are very remote, and any attempt to recover money could only be by difficult litigation. He states also that the

other decree holders may bring to sale the ex-Potail's interest in the property bequeathed to him by will of his paternal uncle. before the termination of the suit by Government, or even if they choose to keep quiet until the Government brings the property to sale, they may come in for a rateable share of the proceeds of the sale, so that what the Government may get pro rata will be hardly sufficient to cover court costs. The value realised by sale will certainly be much less than the present estimated value of the property in view of the fact that the purchaser will have to embark on a further civil suit for partition and possession of the property. I am satisfied that these reasons given by the Tahsildar are convincing. I have therefore dropped the idea of proceeding against the heavily encumbered property of the ex-Potail for the recovery of the amount. In the circumstances stated above I request Board's sanction to write off the amount as irrecoverable.

Your obedient servant,

Collector.

[C 45] :2

Embezzlement (South Kanara)

Nadipi TC - Kodavur village - Headman with off. Man. L. R. Collections (further report called for.

PP 11-12 f. c 4769/34 — Q

DESPATCHED
20 JUL 1934

Ref c 2338.34.3 d. 19.7.34.

The collr is requested to report :-

(1) the dates between which the amounts embezzled were collected by the headman,

(2) the dates of remittances fixed by the Taluk for each month during the period,

(3) whether the headman failed to send remittances on any of the dates fixed, & if so

(4) why his failure was not noticed & prompt action taken to get the collections then & there.

2. The collr is requested to investigate the matter & report whether there is reason on the part of any of the Officers concerned has contributed to the misappropriation of such a large amount

The Collr is also requested to report the date that disciplinary action has been taken against them

amount, ~~It is also requested to~~ take suitable disciplinary action against them after obtaining their explanations, & report the fact to the Board

[Subject to approval.
with refer to the portion marked A at P2 Nf. The collr is himself competent to pass orders, & as such it does not seem necy for the Board to call for the explanations & pass orders on them.]

Collr PD

2W
17/7

cr
16/7/34

17.7.34

17/7/34

AW
19.7.

To

The Collr of South Kanara.

C 5665 ✓
2338/34

Ref. C. No. 1495--A2--34.

South Kanara Collector's Office,
Mangalore, dated 2nd August 1934.

From

E. M. Gawne, Esq, I.C.S.,
Collector of South Kanara.

C 5615/34 Extract from Board's

To

The Secretary to the Board,
Land Revenue & Settlement,
Madras.

Sir,

Embezzlement-- (South Kanara)--Udipi Taluk--Kodavur village--Headman--I.R.collections--write off.

P 13 cf Ref:- Board's Ref. C. No. 2338/34-3 dated 19th July 1934.

The amounts embezzled were all collected by the Potail before the first kist remittance of the fasli. The date of this as fixed by the Tahsildar was 19.3.34 and the potail absconded from the village on the morning of that day. This fact was brought to the notice of the Tahsildar by the shanbhogue of the village on the morning of 20.3.1934 and the Tahsildar immediately proceeded to the village and seized Rs.1033-2-4 which was left (for reasons unknown) by the potail in an almyrah in his house. Thus there was no failure on the part of the Tahsildar or his staff.

Your obedient servant,

Gawne

Collector.

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initia's.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

SUBJECT:— Embezzlement (South Kanara) Udipi Tk. - Kodavur village - Itinerary - L. R. Collector's - Write off - Coll's proposal sub.

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO*:— Bdg. Rev. C 4769/34 — Q & Coll A to Govt

No. _____ From the Board's Rep. dt. 19/8/34 No. Q to Coll dated A. 19____.
A & for Govt.

" _____ " Rev. C 5661/34 Q & Coll " 19____.
A to Govt

" _____ " _____ " _____ " 19____.

Order / Resolution Mis. / Rout. No. _____, dated Rev C 2738. 34-4 d. 21-8-1934.

Sub. to the Govt.

2. In the circumstances reported, the Board requests that the Govt may be pleased to sanction the Coll's proposal to write off Rs 3081. 6. 2 as irrecoverable.

Issued 21.8.34

To

The Secy to Govt R.D.

Copy to the Bd. (Through the Coll of South Kanara.)

20.8.34

21/8

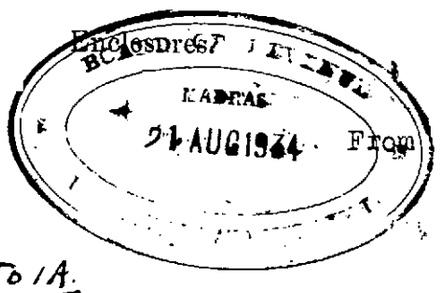
23/8

19 C.6222 2338/34

OFFICE OF THE ACCOUNTANT-GENERAL, MADRAS.

Fort St. George, 20th August 1934 *193*

No. T.M.5-1/34-35/595



From

The Accountant General,
(T.M. Section),
Madras.

To IA.

Proposal to write off the amount lost was already submitted to Govt. in 1st AO's report at P17/, a copy of which has been marked to the A.P. also. No action is necessary on para 2 of the present letter. The letter may be filed.

EW 22/V

25.8.34 P17/

file unless some more in 21 days since received on 25th

The Secretary to the
Board of Revenue,
Land Revenue & Settlement,
Chepauk.

Subject: Embezzlement - South Kanara - Udipi Taluk - Kodavur village headman - Land Revenue Collections - .

Sir.

I have the honour to refer to Board's Reference No. C. 2338/34-2, dated 3rd May 1934 addressed to the Collector of South Kanara on the above subject and to state that he has since reported as follows.

"The man is in Jail and will stay there. The money is lost".

2. In the above circumstance, I request that the action taken in regard to the recovery of the amount or if that is not possible of obtaining the sanction of Government to write it off may kindly be communicated to this office

I have the honour to be,

Sir,

Your obedient servant,

Krishna Aiyer

Deputy Accountant General.

V.

R-7106 2338/34

Revenue Department.

SECY. 4 SEP 1934

21 SEP 1934 LAND REVENUE AND SETTLEMENT

Memorandum No.356 A/34-2, dated the 19th September 1934.

Embezzlement - (South Kanara) - Udipi taluk - Kodavur village - Headman - Land revenue collections - Board's Ref.C.No.2338/34-4, dated the 21st August 1934.

From para 5 of the letter of the Collector of South Kanara, Ref. C.No.1495-A-2-34, dated the 21st April 1934, it appears that the headman, though once a man of property, had become practically insolvent. The attention of the Board of Revenue is invited to B.P.Mis.No.3743, dated the 17th December 1932 (1934) in which it was stated that village officers (governed by the Acts mentioned below) who had already been in office and who subsequently become insolvent could be removed under the clause "or any other sufficient cause" in section 7(1) of Act III of 1895 or under Section 16(2) of Act II of 1894 treating "insolvency" as "misconduct" or "incapacity" as the case may be. The Board is requested to report

(i) whether it has issued instructions to this effect, and (ii) whether it has issued instructions with reference to village officers not governed by statute.

2. In view of the fact that village officers in South Kanara are non-hereditary and are not governed by statute, the Board is requested to report whether even in the absence of such instructions, it was not within the power (and therefore the duty of the district officers to remove the headman in question on ground that he was practically insolvent and therefore unfit for the post.

3. If the Board has not issued any general instructions on the point it is requested to do so now.

J.A.Thorne
Secretary to Government.

To the Board of Revenue, Land Revenue and Settlement.

Forwarded
(By Order)
Superintendent.

N.M.

Village Officers - Hereditary & Non-hereditary - Removal for insolvency- Instructions to Collectors- Reference from Government - Answered - B.S.O & Vol's Rules' Manual - Amended

C. 7106/34 - p.21 C.F. } Answered
C. 5665/34 - p.15 C.F. -Q to Collr. only
B.P. No. 2340 Mis Q 10.10.24
B.P. No. 3259 Mis Q 14.10.31
Bd's Ref. A 3464-32-1 Q 5-11-32 } Q & Collrs only

Reference C.2338/34-5 & 5-11-34.

Query (i) in paragraph 1 of the Memorandum read above. The Board submits copies of the following papers which embody its instructions in the matter issued to all Collrs.

i. B.P.No.2390, Mis. dated 10-10-1924.
ii. B.P.No.3259, Mis. dated 14-10-1931.
iii. Bd's Refee.A-3464/32-1.d/ 5-11-1932.

2. Query (ii) in paragraph 1 of the Memo.

No definite instructions were issued as being applicable to V.Os not governed by statute. Collrs. are, however, well aware of ~~under no misapprehension about~~ the fact that what they can do in the case of a Village officer governed by statute they can a fortiori do in the case of a village officer not governed by statute, ~~Accordingly~~ and they have been following the above instructions of the Board issued with reference to statutory village officers in the case of non-statutory village officers also.

3. Para 2 of the Memorandum.

If the [illegible] officers

knew ~~known~~ of the insolvency of the headman in question before the misappropriation they should have reported it to the R.D.O. for suitable action. The Board is requesting the Collr. to enquire into this point and report. On receipt of his reply it will submit a further report to Govt. in the matter.

4. The attention of the Collector of South Kanara is invited to the instructions issued in B.P.No.3259, Mis. dated 14-10-1931. If the local officers ~~had known of the fact that~~ knew that the headman in question was practically insolvent before he misappropriated the Govt. money, they should have reported it to the R.D.O. for necessary action with reference to the Board's instructions. The Collr. is requested to enquire into this and submit a report to the Board.

5. The following amendment will be issued to the Board's Standing Orders:-

B.S.O.Vol.III, page 869, S.O.No.155, para 11. ← (Add the follg. as a note)

"Insolvency ~~or a financial condition amounting to practical insolvency in~~ the case of a village officer is a sufficient cause within the meaning of sec.7(1) of Act III of 1895 and amounts to "misconduct" and "incapacity" ~~within~~ within the meaning of sec.16(2) of Act II of 1894, justifying his removal from office. The same principle applies to Village officers not governed by statute."

P 3 ng

P.T.O.

37 25

6. The following amendments will be issued to the Village Officers' and Ryots' Manual:-

V.Os and Ryots' Manual - Chapter I, section 2(k), para 6, page 18.

Add the following as a note under this paragraph.

"Insolvency ~~as a financial condition amounting to practical insolvency~~ in the case of a village officer is a sufficient cause within the meaning of sec.7(1) of Act III of 1895 and amounts to "misconduct" and "incapacity" within the meaning of sec.16(2) of Act II of 1894, justifying his removal from office. The same principle applies to village officers not governed by statute."

B.S.O Correction slips given to Press clerk 19/12/34

V.Os Manual Correction slips given to Asst. 19/12/34

29.10.34

25-X-34

30.10.34

To The Secy. to Government,
Rev. dept. (paras 1,2,3,5 & 6)
(with copies of papers referred to in para 1)

" The Collr. of South Kanara. (paras 4 to 6)

" All Collectors (except S.Kanara) (paras 5 & 6)

" Correction Slips for the B.S.O & Vos & Ryots' Manual

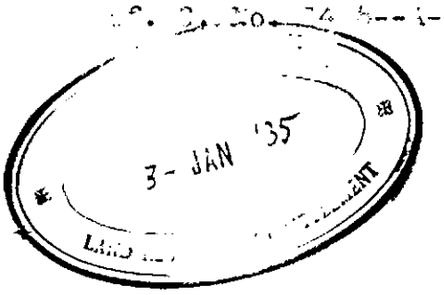
Copy to the encl. given para 5

Please show to Section before despatch

seen 19/11/34

(22) 2338/34

No. 2.20-34 4--1---1.



South Yarra Collector's Office,

Kensington, 28th December

To IA

T. K. Laing, Esq., I.C.S.,

Collector of South Kanara. C 7005/34 The complete file is put up in another file three A section. This may be cut out like it is neces

[illegible] D.C.B. [illegible] Bombay: 4.1.35

The Secretary to the Board,

Land Revenue Settlement, 4.1.35

Madras.

Sir,

Embezzlement--Bapi Naik--Bombay village--Carnac Bunder--Retail--Insolvency report submitted.

Ref:- Board's Ref. C. No. 2338/34--5/8th November 1934.

Pp 23-25 Cf

The South Collector,Canara, reports that till the misappropriation of Government money by the Retail,there was nothing known to the Retail that he was insolvent, in order to justify any action with reference to the instructions issued in P. F. No. 2340 dated 26th October 1934. The extract from the Defaulter's Register of the South Collector shows that the Retail was not taken on as a peon or punished for any crime or fault since the year 1908.

Q. The Retail was a peon who knew how to keep up appearances. In fact it is rumoured that it was he who took the Bombay police round the steamer in Karwar port, assisting them to search for himself.

Your obedient servant.

Collector.

C (103) 2338/34

SECY. G.F. 98. 4-JAN 1935

Revenue DEPARTMENT.

REMINDER. *Branch.* REPLY.

To The Board of Revenue, (LR18.)

To The BOARD OF REVENUE 4-JAN 1935 LAND REVENUE AND SETTLEMENT

~~has the honour to invite~~
The undersigned is directed to invite
~~invites~~
attention to the communication noted in the margin and to request that this reminder may be returned at once with information as to—

Bd's Ref. No. C-2338/34-5, dated 5-11-34

the further report may be expedited

(1) the stage at which the matter now is,
(2) the date by which a reply may be expected, and
(3) the circumstances which have caused the delay.

~~2. It is requested that the reply to this reminder may be sent not later than~~

To 1A.

The connected file is on the Association with another file. This may be filed with the connected papers.

ER 5/1/35. GS 9/1. G.L. 3/1/35

C 909/35 R&L for R.D.

DC 4 FEB 1935

ER 4/2/35

Office Revenue Section

Station Fort St George.

Dated 21 December 34.

Signature. B. Ramachandra

Designation. Asst to Govt, Rev. Dept

SUBJECT.

Unemployment (S. Kanara) 20/12/34 Hospitalisation - Grant of advance - Treatment - Land revenue

G.T.D

Embezzlement (Sorkh Kanara)

Misapn &c - Kodaur Singe-
kadaran - & ic. allocation - write off.
other letter subj.

~~R19cf C 622/34 Ref A~~

OP 23-25cf BOs Reps d 5-11-34 Q ~~to Govt~~

P 27 cf. C 22/34 - ~~H to Govt~~
Q to Coll

Ref E 2738-34-6 d 28-2-35

Subj to Govt in confir-
mation of the BOs Reps read above.

2. In the circumstances
reported by the Coll, the Board
requests the orders of the Govt on its
Repn C 2738-34-4 D 21-8-34

28/2

P 17 cf.

To

The Secy to Govt R.D. - On 28/2/35

~~Secy to Govt of Madras~~
Revenue

Revenue

28 FEB 1935

(C 225) 2338/34

Sectt. II-15 (b)—16,500—11-10-33.

BOARD OF REVENUE 25 MAR 1935 LAND REVENUE SECTION

Received ..... 193 . *Registered* ..... 193 .

Abstract.

Land Revenue - South Kanara - Udipi taluk - Kodavur village - Amount embezzled by the late headman - Write off - sanctioned.

(Postal as above)
P.J.q C 22/35 - R
P.J.q C 2257/35 - A

Coming to the order of South Kanara

To the order of 25/3/35

..... DEPARTMENT.

G.O. No. LS 709 dated 21st March 193 5

ENCLOSURES.
No. .....

READ the following paper :—

From the Board of Revenue (Land Revenue and Settlement) Ref.No.C.2338/34-1 dated 5-4-1934.
From do. Ref.C.2338/34-2 dated 3rd May 1934
From do. Ref.C.2338/34-4 dated 21-8-1934.
From do. Ref.C.2338/34-5 dated 5-11-1934.
From do. Ref.C.2338/34-6 dated 28-2-1935.

Recorded.

2. The Government write off as irrecoverable the sum of Rs.3081-6-2 (Rupees three thousand and eighty one annas six and pies two only) being land revenue collections embezzled by the late headman of Kodavur village, Udipi taluk, South Kanara District.

(By order of the Governor in Council)
H.R.Uzielli
Secretary to Government.

To the Board of Revenue (Land Revenue and Settlement).
To the Accountant-General, through the Finance department.
To the Finance Department.

Forwarded.
(By order)

P Krishnan 24/3/35
Superintendent.

S.R.

Embezzlement. (South Kanara) Udipi Tc
Kodavur village - Headman - Land Revenue
Laws - writ off - proposal.

P1
A.S.(I.R)
(...)
K9.
9/7/34

PP1-2 cf	C 2338/34
P 2 cf.	Board's reference 5.4.34.
PP3-5 cf.	C 2958/34
P7 cf.	Board's reference 3.5.34.
PP 11-12 cf.	C 4769/34

To IA.

The total amount embezzled by the village headman of Kodavur village, Udipi Ta
in South Kanara Dt is Rs 3081. ✓ 6.2.

Para 4 P4 cf

2. Necessary criminal action was
Para 1 P11 cf. taken against him & he was sentenced to
rigorous imprisonment for 18 months & to
a fine of Rs 250/- in default to undergo
further rigorous imprisonment for 3 months.

Para 2 - do -

3. As regards the departmental ac
the headman in question has been dismis
from service, & his ~~work~~ next heir & all
the undivided members of his family have
been debarred from holding the post during
his life time.

4. For the ~~assignments~~ reasons set forth
PP 11 12 cf. 3 of his letter, the Collr has dropped the i
of proceedings against the property of the ex-h

Headman for the recovery of the amount, and recommends that the amount may be written off as irrecoverable.

For orders whether the Coll's proposal may be recommended to Govt for sanction, as the amount involved is more than R 500/- upto which alone the Board can sanction the write off - vide Para 2 of Appx 4-A. M.F.A.C Vol II.

B

P 16 M.F.A.C Vol II. 1934 Edn.

7/7/34

9.7.34

Before recommending the Coll's proposal to write off such a large amount, it seems quite necessary to know (1) the dates between which the amounts embezzled were collected by the V.M., (2) the dates of remittances fixed by the Taluq for each month during the period, (3) whether the V.M. has failed to send remittance on any of the dates fixed & if so (4) why his failure was not noticed & prompt action taken to get the collection then & there. The explⁿ of the persons responsible who have failed to notice the delay in remittances or check the village collections thereby facilitating the embezzlement may also be called for. The Coll. may be requested to investigate the matter fully & find out whether the remissness on the part of any of the Officers has contributed to the misappropriation of such a large amount & report with full details.

A

11.7.34

S 13.7.34.

Gps. 14.7.34.

COPY. 18 JUL 1934

M

AS(LR) 10.7.

S?
Draft subm
1A

A S(LR).

To 1A.

Draft subm

er 16/7/34
17.7.34

2W 17/7

A S(LR)

S

M1
S.
A S(LR)
1A
(Chro/Ref 8 sections)
PP 13-14 cf.
1118. P 15 cf.

Issued as Board's Ref'd 19.7.34
C 5665/34

To 1A.

The points raised in the Board's reference at PP 13-14 cf have been explained by the writer in his letter at P 15 cf. It is clear that the misappropriation was not the result of any remissness on the part of Rly staff.

2. In the circumstances, the writer's original proposal contained in Para 3 of his letter at PP 11-12 to write off the amount lost may be recommended to Govt for sanction. For orders.

2W 16.8.

2W 14/8.

A S(LR)

er 8/8/34
9.8.34

S

15.8.34

1A

M1

To 1A.

Draft subm

SEC 20 AUG 1934

er 20/8/34
20.8.34.

2W 21/8

Ala[illegible] (contd)

M1
S
A.S.(L.R.)

Village officers - Non hereditary Macto - Headman - ~~Property qualification~~ - Insolvency - liability for removal

—o—

p. 11 C.F. Ltd. Ltr. dt. 1-3-1934 - 1 - 4

p. 1 C.F. " 11th by - 4

To Asst. Secretary.

p. 17 C.F. Please see the memorandum from govt.

(2) As regards query No (1) raised in the first paragraph of the memorandum attention is invited to following B.Ps - and orders.

(C) (i) B.P 2390 Nils 8/10.10.24.

(D) (ii) B.P 3259 Nils dt 14-10-31 and

p 3 C.F. of (E) (iii) Bds Ref A. 3464/32/1 dt 5-11-32.

1/2. 374 3/12

12.10.34

These have been communicated to all the Collectors. Copies of these may be submitted to govt.

(3) Query No (2) raised in the 1st paragraph.

Collrs. are under no misapprehension ~~that what~~ they can do. Clearly what they can do — the case of a hereditary V.O. They can't do — the case of a non-hereditary V.O.

(C), (D) & (E)

12.10.34

No definite orders were issued with reference to village officers not governed by Statute. The above orders ~~B.Ps~~ which were communicated to all the Collectors are by analogy being applied to village officers not governed by Statute. Govt may be replied to as above.

(4) Para 2 of the Govt. Memorandum

There were cases* where headmen (N) & (F)
were removed by the local officers
on the ground they were practically
insolvent and therefore unfit for the
post. Attention is particularly
invited to the Secretary's note at
pages 3 to 4 N.F of B.P. 1925 Rs
(F)
of 21-4-33. The Board has been
upholding the orders of the local
officers. For orders if a reply
may be sent to Govt. stating
that R.D.Os and Collectors have
been removing from service village officers
whose offices are non hereditary
& non statutory and that the Board
is upholding their orders.

No case seems to have come up from S. Kanara
h 10.10.34

See also pp. 3-4 N.F of (N).
Rent 2455
11.5.34

h 10.10.34

The answer is that if the Dt. Officer had known of his tendency before the misappropriation they would have reported. C. may be asked to enquire into this

(5) Para 3 of the Govt. Memorandum

In view of the proposed reply
to para 1 of the memorandum, it
does not appear necessary to issue
any more general instructions on
the point now. It is however for
consideration whether (a note may be inserted after) B.S.O.
155 (11) ~~requires any amplification~~
~~by the addition of a small note~~
~~under the paragraph~~ stating, ~~that~~
~~for orders~~ as a corollary to the last

CW 16/10

p. 869 of Vol. III.

K.S.
31.10.34

sentence, that a headman who is involved in debts or is insolvent is liable to be removed. The instructions issued in (C) and (D) may also be embodied in this para. Though the amendments to the two Acts proposed by the Board to give effect to these instructions have not received legislative sanction there is no objection to embody them in the B.O. as the Board has definitely held that insolvency in the case of a village headman in office is a "Settlement-cause" within the meaning of § 7(1) of Act III of 1895 and amounts to "misconduct" and "incapacity" within the meaning of § 16(2) of Act II of 1894, justifying his removal from office.

H 5. & C7 of (E)

p 761 Madras Code Vol II

p 753 ibid

If the proposal above is approved draft amendments will be submitted.

Hillocks

S

Dw 13.10.

VB. 15.10.

N1

SECY. 17 OCT 1934

M3
M1

2 AS&R

AS&R

Draft submitted

RN 26/10/34 RG 25/X/34 In the amendments proposed in paras 5 & 6 of the Rajkot the term 'Village officer' has been used so as to include 'Hamams' also in accordance with the Rajpals in the B.S. H.S. & C of (E)

BP No. 3743 17-12-34

Dy 29 Oct 31.10.34

S

M3 1.11.34

M1 1.11.34

Issued as BDS Paper dated 5-11-34 C 22/35

PP 23.25 of. P. 27 of.

TO IA.

Please see para 4 of the BDS Paper at P 24 of., & the extracts reply at P 27 of. & the circumstances explained by the attached, this present report may be noted & dealt with regard to para 3 of the BDS Paper at PP 23.24 of.

For order.

LO 26/2. 26/2/35 AS(&R)

AO. pl.

Dy 26/2/35 26/2/35

S 28.2

TO IA.

Draft subm

EW
29/2.

Ch
28/2/35
28.2.35

IA
(Issued as B.S. No. 1)
10
27/3/35

Ch
27/3/35

P 31 q (Issued as BS Rejected 28.2.35)

P 33 q C 2257/35 from R.D.

TO IA.

Please see the BS Rejn at P 31 q & the G.O. thereon at P 33 q. The G.O. may be commund to Calls & the correspondence closed.

Draft subm at P 33 q

EW
29/3

Ch
29/3/35
29.3.35